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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/049,315

Filing Date: February 08, 2002

Appellant(s): SAWADA, YUJI

Steven M. Jensen
Reg. No. 42,693
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 25 November 2007 appealing from the Office action mailed 9 April 2007.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

Source code from "The Declaration of Independence A History," 6 June 1997,
<<http://web.archive.org/web/19970606080409/http://www.nara.gov/exhall/characters/declaration/dechist.html>> pp. 1-18.

"Cascading Style Sheets, level 1," 11 January 1999, <<http://www.w3c.org/TR/CSS1>>

6571054	Tonomura et al.	5-2003
5524201	Shwarts et al.	6-1996
6281986	Form	8-2001

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2, 8-9, and 18 remain rejected under 35 U.S.C. 103(a) as being unpatentable over "The Declaration of Independence A History," (6 June 1997, hereafter History) and further in view of "Cascading Style Sheets, level 1 (11 January 1999, hereafter Style).

As per independent claim 1, History discloses an electronic book contents comprising a body data unit and a part data unit:

- The part data unit is entered as an object separately from the body data unit (page 1: Here, the data to be displayed is contained between tags. This data is part data and is separate from the body data that merely discloses the formatting for part data)

History fails to specifically disclose:

- A body data unit including event data including a description for designating a display method and a first identifier for designating contents displayed on a display region
- The part data unit including a file name of display data divided into a plurality of regions with the first identifier added thereto
- The body data unit includes no data to be actually displayed on the display region

However, Style discloses:

- A body data unit including event data including a description for designating a display method and a first identifier for designating contents displayed on a display region (pages 6-7)
- The part data unit including a file name of display data divided into a plurality of regions with the first identifier added thereto (pages 6-7: Here, a style sheet specifies a file, via a file name, containing style properties. These properties are applied to body data when the style sheet is invoked through the file name)
- The body data unit includes no data to be actually displayed on the display region (pages 6-7: Here, the style sheet data (body data) does not contain any

data to be actually displayed on the screen, instead it references the part data, via a file name, which is rendered, in accordance to the style sheet, for display)

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Style with History, since it would have allowed user to customize display of body data to overcome human or technological handicaps (Style: page 1).

As per dependent claim 2, History and Style disclose the limitations similar to those in claim 1, and the same rejection is incorporated herein. History further discloses the electronic book contents wherein the event data includes a description for designating the display method for each page and the first identifier (page 1: Here, the <BODY BGCOLOR> designates at least one display method for the page, namely the background color over which the first identifier contents will be displayed).

As per independent claim 8, the applicant discloses the limitations similar to those in claim 1. Claim 8 is similarly rejected.

As per dependent claim 9, the applicant discloses the limitations similar to those in claim 2. Claim 9 is similarly rejected.

As per independent claim 18, the applicant discloses the limitations similar to those in claim 8. Claim 18 is similarly rejected.

Claims 3, 10, 19, and 21 remain rejected under 35 U.S.C. 103(a) as being unpatentable over History and Style, and further in view of Tonomura et al. (US 6571054, filed 9 November 1998, hereafter Tonomura).

As per dependent claim 3, History and Style disclose the limitations similar to those in claim 1, and the same rejection is incorporated herein. History fails to specifically disclose wherein said event data further includes a second identifier for designating sound data to be reproduced, and said part data unit further includes the sound data divided into a plurality of regions with said second identifier added thereto. However, Tonomura mentions the sound and speech can be accompanied in the document (Tonomura Col 8 Lines 19-32). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Tonomura to History, providing History the benefit of including sound data in the dividing process, which would ensure that sound associated with the data in correctly divided.

As per dependent claim 10, the applicant discloses the limitations similar to those in claim 3. Claim 10 is similarly rejected.

As per dependent claim 19, History, Style, and Tonomura disclose the limitations similar to those in claim 3, and the same rejection is incorporated herein. Tonomura discloses the sound and speech can be accompanied in the document and is read by the user (Tonomura Col 8 Lines 19-32). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Tonomura to Tonomura and History, providing History the benefit of including sound data in the dividing process, which would ensure that sound associated with the data in correctly divided.

As per dependent claim 21, the applicant discloses the limitations similar to those in claim 19. Claim 21 is similarly rejected.

Claims 4 and 11 remain rejected under 35 U.S.C. 103(a) as being unpatentable over History, Style, and Tonomura, and further in view of Shwarts et al. (US 5524201, filed 3 November 1993, hereafter Shwarts).

As per dependent claim 4, History, Style, and Tonomura disclose the limitations similar to those in claim 3, and the same rejection is incorporated herein. History further disclose text and image data (page 1: Here, text data occurs after the <p> tag, and the image data occurs after the tag). History fails to specifically disclose at least two types of copyright information are described for said text data, said image data and said sound data. However, Shwarts mentions that copyrights can be used (Shwarts Col 2 Lines 20-45). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Shwarts to History and Tonomura, providing History and Tonomura the benefit of including copyright information to include in the process of dividing into regions, which would enhance the process.

As per dependent claim 11, the applicant discloses the limitations similar to those in claim 4.. Claim 11 is similarly rejected.

Claims 5, 7, 12, 14, 20, and 22 remain rejected under 35 U.S.C. 103(a) as being unpatentable over History and Style, and further in view of Form (US 6281986, filed 20 August 1996).

As per dependent claim 5, History and Style disclose the limitations similar to those in claim 1, and the same rejection is incorporated herein. History fails to

specifically disclose a plurality of display forms. However, Form discloses a plurality of display forms (column 10, lines 30-41).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined History's method with Form's method, since it would have allowed a user to browse the document at a user specified speed (Form: column 2, lines 16-19).

As per dependent claim 7, History and Style disclose the limitations similar to those in claim 1, and the same rejection is incorporated herein. History fails to specifically disclose chapter structure information and information for designating a method of controlling trail reading for each chapter. However, Form discloses chapter structure information and information for designating a method of controlling trail reading for each chapter (column 1, line 47- column 2, line 3).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined History's method with Form's method, since it would have allowed a user to quickly browse the data (Form: column 1, lines 46-51).

As per dependent claim 10, the applicant discloses the limitations similar to those in claim 5. Claim 10 is similarly rejected.

As per dependent claim 14, the applicant discloses the limitations similar to those in claim 7. Claim 14 is similarly rejected.

As per dependent claim 20, History, Style, and Form disclose the limitations similar to those in claim 5, and the same rejection is incorporated herein. Form further discloses at least a double-page spread display, a single page display, and both a

double-page spread display and a single page display (Figures 1 and 4: Here, Figure 1 is a double page spread display, and further shows a single and double display. Figure 4 shows a single page display).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined History and Form's method with Form's method, since it would have allowed a user to specify the view.

As per dependent claim 22, the applicant discloses the limitations similar to those in claim 20. Claim 22 is similarly rejected.

Claims 6, 13, 15, and 17 remain rejected under 35 U.S.C. 103(a) as being unpatentable over History and Style, and further in view of Kikinis (US 2002/0049833, filed 4 May 1998).

As per dependent claim 6, History and Style disclose the limitations similar to those in claim 1, and the same rejection is incorporated herein. History fails to specifically disclose the data units corresponding to types of electronic book display apparatuses. However, Kikinis discloses data corresponding to types of electronic book display apparatuses (paragraphs 0058 and 0104).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined History's method with Kikinis's method, since it would have allowed for data to be transmitted in a form usable by the device (Kikinis: paragraph 0058).

As per dependent claim 13, the applicant discloses the limitations similar to those in claim 5. Claim 13 is similarly rejected.

As per independent claim 15, the applicant discloses the limitations similar to those in claim 1, and the same rejection is incorporated herein. Kikinis further discloses the display apparatus comprising:

- An event reading unit reading event data (paragraph 0060: Here, a web browser is a reading unit)
- An object reading unit referring to the first identifier in the event data read by the event reading unit to read the display data in the part data unit (paragraph 0059: Here, the web browser parses the HTML file, and displays a web page)
- A display unit displaying the display data read by the object reading unit according to the description for designating the display region in the event data read by the event reading unit (paragraph 0059: Here, the browser displays the web page)

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined History with Kikinis, since it would have allowed a user to read the parsed data.

As per independent claim 17, the applicant discloses the limitations similar to those in claim 1, and the same rejection is incorporated herein. Kikinis further discloses a transmission apparatus comprising:

- A storage unit for storing a plurality of contents (paragraph 0047: Here, the proxy server stores contents, including web pages)

- A transmission unit transmitting the contents from the storage unit (paragraphs 0048 and 0052: Here, a user is connected to the proxy server through a modem used to transmit data)

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined History with Kikinis, since it would have allowed access data on the world wide web.

Claim 16 remains rejected under 35 U.S.C. 103(a) as being unpatentable over History, Style, and Kikinis and further in view of Tonomura.

As per dependent claim 16, History, Style, and Kikinis disclose the limitations similar to those in claim 15, and the same rejection is incorporated herein. History fails to specifically disclose said event data further includes a second identifier for designating sound data to be reproduced, said part data unit further includes the sound data divided into a plurality of regions with said second identifier added thereto, and said electronic book display apparatus further comprises: a sound object reading unit referring to the second identifier in the event data read by said event reading unit to read the sound data in said part data unit; and a reproduction unit reproducing the sound data read by said sound object reading unit. However, Tonomura mentions the sound and speech can be accompanied in the document the is read by the user (Tonomura Col 8 Lines 19-32). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Tonomura to History and Kikinis, providing

History and Kikinis the benefit of including sound data in the dividing process, which would ensure that sound associated with the data is correctly divided.

(10) Response to Argument

The appellant's initial argument is based upon the belief that History does not teach, "a body data unit and a part data unit (page 8)." The examiner agrees with a portion of this statement, as History neither discloses nor is relied upon to disclose a body data unit (see Final Office Action (FOA), page 3). However, the examiner does not agree with the applicant's assertion that History fails to teach a part data unit separate from the body data unit. Here, History discloses the use of a <BODY> tag (page 1), however this <BODY> tag is not analogous to the claimed body data unit. Further, the examiner does not rely upon this <BODY> tag to teach the applicant's claimed body data unit. Instead, History discloses several part data units contained between History's <BODY> tag (pages 1-17). In this instance, each paragraph contained between the <BODY> and </BODY> tag constitutes a part data unit.

Although History does not teach the applicant's claimed body data unit, Style teaches the applicant's claimed body data unit (pages 6-7). The body data unit of Style discloses a definition file, which is referenced by a part data unit via a file name (pages 6-7). The <LINK> element allows the user to specify the body data unit for specified part data unit (page 6). In this example, the body data unit is imported from <http://style.com/basic> (page 6). Further, this body data unit contains no data to be displayed, instead specifying a definition file for displaying the data contained within the

part data unit (pages 6-7). For example, the part data unit of the example file discloses <P: STYLE = "color: green"> (page 6). This part data unit references the body data unit and applies the style defined within the body data unit to the part data. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Style with History, since it would have allowed a user to customize body data for displaying part data to overcome human or technological handicaps (Style: page 1).

The appellant's second argument is based upon the belief Style fails to disclose body data that includes no data to be actually displayed on the display page (pages 8-9). Again, the applicant interprets History's <BODY> tag as being relied upon to disclose the applicant's claimed body data unit. However, the examiner does not rely upon the <BODY> data of History to disclose a body data unit. Instead, Style discloses a style sheet (pages 6-7). This style sheet does not actually contain any data to actually be displayed; instead, the data defines the rendering of elements having the body data applied (page 6, section 1, paragraph 5: In this instance, the part data unit is the referencing HTML document).

The appellant's final argument is based upon the belief that one of ordinary skill in the art would understand that body data is not limited to only a particular style element, but rather encompasses all elements appearing between the <BODY> and </BODY> tags (pages 9-10). This argument further shows the appellant's mischaracterization of the examiner's rejected. The examiner reiterates that History is not relied upon to teach the appellant's claimed body data unit (FOA: pages 2-3). The

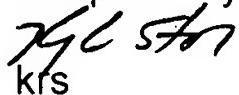
appellant further states that, "the "body data" in the Style document must include all elements appearing inside the <BODY> and </BODY> tags, in order to be consistent with the History document (page 9)." The examiner contends that a style sheet, as taught by Style, is applied to the part data unit (HTML document) (pages 6-7). Style provides the flexibility to define different style elements from the same body data unit to part data units (pages 6-7). The appellant's arguments are not persuasive.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,


kfs

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